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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/836,672	04/16/2001	Duane Wrasman	12288	7188

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EXAMINER

PREVIL, DANIEL

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 12/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/836,672

Applicant(s)

WRASMAN ET AL.

Examiner

Daniel Previl

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koelle et al. (US 4,739,328) in view of Landt et al. (US 6,078,251).

Regarding claim 1, Koelle discloses an antenna for receiving and transmitting RF signals (antenna 12 transmits to antenna 16, antenna 12 receives signal from the source 10) (fig. 1; col. 3, lines 11-32); RF source and preamplifier module (fig. 1); an input/output connection (fig. 2b); an antenna connected to RF source and preamplifier module for receiving and transmitting RF signals (RF signal is connected to antenna 12) (fig. 1; col. 3, lines 6—34).

Koelle fails to disclose a power supply; a digital signal processor module; digital signal processor module controlling RF source and preamplifier module, and decoding RF signals received antenna; digital signal processor operate with more than one of a RFID protocol by changing an operational characteristic of Rf source and preamplifier module.

However, Landt discloses power supply (CPU 236 inherently included a power supply) (col. 8, lines 22-24); a digital signal processor module (signal processor 208) (col. 7, line 6); digital signal processor module controlling RF

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source and preamplifier module, and decoding RF signals received antenna (antenna 16 modulated write signals received from integrated RFDC and RFID module 110 for processing by signal processor 208) (col. 7, lines 54-67); digital signal processor operate with more than one of a RFID protocol by changing an operational characteristic of RF source and preamplifier module (data processing of signals in response to an interrogation signal generated by the integrated RFDC and RFID module, in addition, the output of the RF is provided to the RF down converter strip out the RF signal) (fig. 4; col. 11, lines 26-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Landt in Koelle. Doing so would identify accurately the object for transmission to the antenna. RFID would be capable of reading the tag to obtain efficient information wherein time and money could be saved for user's advantage.

Regarding claim 2, the above combination discloses all the limitations in claim 1 and Landt further discloses flash memory (flash ROM 154); flash memory loadable with operational data, allowing the device to be reconfigured by a host computer (flash ROM 154 via the radio control program implements the radio communication to and from the host base station 232) (col. 9, lines 29-55). Same motivation as claim 1.

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3. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koelle et al. in view of Landt and further in view of Mon (US 6,354,493).

Regarding claim 3, the above combination discloses all the limitations in claim 1 but fails to specify RFID protocols include Intellitag 500 and ISO/AAR protocol.

However, Mon discloses RFID tag includes Intellitag 500 (col. 2, lines 19-26).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Mon in Koelle and Landt. Doing so would determine a proper reading of the RFID tagged articles and allow efficiently data transfer wherein time and money can be saved for users' beneficial.

Regarding claims 4-5, the above combination discloses all the limitations in claim 1 and Landt further discloses the step of varying a Rf signal power output level (col. 9, lines 50-60; col. 11, lines 30-40). Same motivation as claim 3.

Regarding claim 6, the above combination discloses all the limitations in claim 1 and Landt further discloses housing formed from two identical, matching halves (fig. 3). Same motivation as claim 3.

Regarding claim 7, the above combination discloses all the limitations in claim 1 and Landt further discloses the RF source and preamplifier module filter

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and amplify received RF signals at a filtering and amplification level controlled by the digital signal processor (col. 13, lines 16-47). Same motivation as claim 3.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Landt et al. (US 5,030,807) discloses a system for reading and writing data from and into remote tags.

Landt (US 4,816,839) discloses a transponder antenna.

Bjorklund et al. (US 6,336,126) discloses a wearable computer.

Shober et al. (US 5,649,295) discloses a dual mode modulated backscatter system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Previl whose telephone number is 703 305-1028. The examiner can normally be reached on Monday-Thursday. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel WU can be reached on 703 308-6730. The fax phone numbers for


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the organization where this application or proceeding is assigned are 703 872-9314 for regular communications and 703 872-9315 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-4700.

Daniel Previl
Examiner
Art Unit 2632

DP
December 10, 2002


DANIEL J. WU
PRIMARY EXAMINER
12/13/02